

REMARKS

The Applicants have carefully studied the outstanding Office Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner, and is believed to place the application in condition for allowance. The applicants therefore earnestly request favorable reconsideration and allowance of the application.

Claim amendments

Minor amendments have been made to Claims 1, 4, 6, 10 and 19 to improve their clarity, but without any change in the patentable subject matter.

Claim rejections - 35 USC § 102

Claim 1, 2, 4, 6-12 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Singh et al., US 6,385,217.

The Examiner states that:

“Regarding claim 1, Singh teaches a wavelength locker system, comprising, an optical tap placed in the optical path of a laser (fig. 7 64), for splitting a laser signal into a tapped signal and a laser output signal, a free space tunable filter accepted the tapped signal and producing two signals that add to form a representation of the tapped signal (see fig. 7 element 70), a photodetector means (75 and 77) coupled to the tunable filter for capturing both signals output from the said tunable filter (66) and producing 2 electrical signals that represent the power intensity of each , of said two output signals from the tunable filter, and a means for (68) accepting the two electrical signals output from the photodetector means and generating a feedback signal in response thereto.

Regarding claim 10, Singh teaches an optical tap (fig. 7 element 64) placed in the optical path of a laser transmitter for splitting a laser signal into a tapped signal and a laser output signal , a tunable filter (660 accepting the tapped signal and producing two electrical signals that add to form a representation of the tapped signal. The limitation of the filter tuned at an offset from a target lasing frequency at a point in which the two electrical signals output from the tunable filter to form a lock point pertains to a product by process limitation as adds no additional structure to the claim as the tuning point of tunable filter is by definition adjustable and tuning the filter one way rather than another does not affect the overall structure of the device. Singh also teaches the feedback signal in response to the electrical signals output from the liquid crystal (see element 68).”

The applicants respectfully disagree with the Examiner's interpretation of what is shown in Singh et al., and in the conclusions drawn therefrom.

To the best of the applicants' understanding, nowhere is there shown or suggested in Singh et al., a **tunable** filter, as recited in all of the claims of the present application.

The claimed tunable filter provides the present invention with significant advantages over what is described in the Singh et al patent, where changes in temperature, which cause undesired shift in the locked wavelength, are compensated for by mounting the wavelocker arrangement "on a fixture which can either hold the temperature of the arrangement constant, or vary the arrangement to achieve stability and tunability", as recited in col. 8, lines 18-21 of Singh et al. In other words, the system of Singh et al requires that the entire temperature sensitive portion of the wavelength locker be temperature controlled in order to be able to ensure wavelength stability.

In contrast to this, the novel use of the tunable filter of the present claimed invention enables the achievement of wavelength stability during temperature changes, by simply adjusting the tuning point of the tunable filter in accordance with the measured temperature change.

The applicants therefore respectfully submit that none of claims 1, 2, 4, 6-12 and 18-20 as variously amended, are anticipated by Singh et al., and respectfully request withdrawal of the grounds for rejection of these claims under 35 U.S.C. 102(b).

Claims 3, 5 and 13-17 are variously dependent on either of claims 1 or 10, and recite further patentable material, and are therefore also deemed allowable.

Conclusion


The applicants respectfully submit that, in the light of all of the arguments mentioned above, all of the claims 1 to 20, as variously amended, are novel and unobvious over any combination of the prior art cited by the Examiner, and recite patentable material, and are therefore all deemed to be allowable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 595242000601.

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Respectfully submitted,

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